



February 18, 2009

HOUSE BILL No. 1561

DIGEST OF HB 1561 (Updated February 16, 2009 9:02 pm - DI 75)

Citations Affected: IC 5-28.

Synopsis: High speed Internet service initiative. Requires the economic development corporation to: (1) develop a high speed Internet service deployment and adoption initiative; and (2) create a statewide geographic information system of telecommunications and information technology services.

Effective: July 1, 2009.

**Van Haaften, Goodin, Murphy,
Borrer**

January 22, 2009, read first time and referred to Committee on Rules and Legislative Procedures.

February 12, 2009, reassigned to Committee on Commerce, Energy, Technology, and Utilities.

February 17, 2009, amended, reported — Do Pass.

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February 18, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1561

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-28-33 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]:
4 **Chapter 33. High Speed Internet Service Deployment and**
5 **Adoption Initiative**
6 **Sec. 1. As used in this chapter, "GIS" refers to the statewide**
7 **geographic information system created under section 3 of this**
8 **chapter.**
9 **Sec. 2. As used in this chapter, "high speed Internet service"**
10 **means a connection to the Internet that provides capacity for**
11 **transmission at an average speed of at least two hundred (200)**
12 **kilobits per second downstream, regardless of the technology or**
13 **medium used to provide the connection.**
14 **Sec. 3. (a) The corporation shall develop a high speed Internet**
15 **service deployment and adoption initiative that includes the**
16 **creation of a statewide geographic information system (GIS) of**
17 **available telecommunications and information technology services,**

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1 including high speed Internet service.

2 (b) The corporation shall:

3 (1) map the availability of high speed Internet service,
4 including the percentage of households that have access to
5 high speed Internet service, by census blocks established by
6 the Bureau of the Census and depicted in the GIS; and

7 (2) use the map to identify areas where high speed Internet
8 service is unavailable.

9 (c) The corporation shall update the GIS at least every six (6)
10 months.

11 Sec. 4. (a) A person or entity that provides data or other
12 information to the corporation for inclusion in the GIS may
13 designate the data or information as confidential for any purpose,
14 including for purposes of IC 5-14-3-4.

15 (b) The corporation shall, upon request, enter into a
16 nondisclosure agreement with a person or entity described in
17 subsection (a) concerning proprietary information submitted to the
18 corporation by the person or entity.

19 Sec. 5. The corporation shall enter into a contract to develop all
20 or part of the initiative described in section 3 of this chapter.

21 Sec. 6. This chapter may not be construed as authorizing the
22 corporation to regulate communications service providers (as
23 defined in IC 8-1-32.5-4) or as supporting the deployment of high
24 speed Internet service in areas where high speed Internet service
25 is already available.

26 Sec. 7. In implementing this chapter, the corporation shall
27 consult with the Indiana finance authority to avoid unnecessary
28 duplication of efforts under this chapter and IC 8-1-33.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Energy, Technology and Utilities, to which was referred House Bill 1561, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 8, delete "inadequate or".

Page 2, line 13, after "confidential" insert "**for any purpose, including**".

Page 2, line 14, delete ", subject to the approval of the corporation." and insert ".".

Page 2, line 15, delete "may" and insert "**shall, upon request,**".

Page 2, line 19, delete "may" and insert "**shall enter into a**".

Page 2, line 19, delete "with a nonprofit".

Page 2, line 20, delete "organization".

Page 2, line 24, delete "." and insert "**or as supporting the deployment of high speed Internet service in areas where high speed Internet service is already available.**".

Page 2, delete lines 28 through 42.

Delete page 3.

and when so amended that said bill do pass.

(Reference is to HB 1561 as introduced.)

MOSES, Chair

Committee Vote: yeas 8, nays 3.

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